

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

TIMOTHY PEOPLES, JR., H-63933,)	
)	
Plaintiff(s),)	No. C 12-2163 CRB (PR)
)	
v.)	ORDER DIRECTING
)	SERVICE ON E. MAKELA,
E. MATA, et al.,)	I. ASUNCION AND P.
)	DELVILLAR AT SVSP,
Defendant(s).)	AND UPDATE OF THE
)	DOCKET

Per order filed on December 30, 2015, the court found that plaintiff's First Amended Complaint (FAC) appears to state cognizable § 1983 claims for damages against the named defendants but that three of them – correctional officers E. Mata, I. Asuncion and P. Devillar – remain unserved, and directed the California Department of Corrections and Rehabilitation (CDCR) to provide the last known addresses for these three defendants.

CDCR promptly responded that these three correctional officers can be served at Salinas Valley State Prison (SVSP) under the names E. Makela (rather than E. Mata aka Makeia), I. Asuncion and P. Delvillar (rather than P. Devillar). Although I. Asuncion was properly identified as such in the original complaint and docket, it appears that the summons incorrectly identified this defendant as L. Asuncion.

1 Good cause appearing therefor, the clerk is directed to update the docket
2 to show that E. Mata aka Makeia is actually E. Makela, and that P. Devillar is
3 actually P. Delvillar. The clerk also shall issue summons and the United States
4 Marshal shall serve, on an expedited basis and without prepayment of fees,
5 copies of the FAC in this matter, all attachments thereto, and copies of this order
6 on correctional officers E. Makela, I. Asuncion and P. Delvillar at SVSP.

7 In order to expedite the resolution of this case, defendants shall serve and
8 file a joint motion for summary judgment or other joint dispositive motion by no
9 later than March 4, 2016. If defendants are of the opinion that this case cannot be
10 resolved by summary judgment or other dispositive motion, they shall so inform
11 the court prior to the date their motion is due. Plaintiff must serve and file an
12 opposition or statement of non-opposition to the dispositive motion not more than
13 28 days after the motion is served and filed, and defendants must serve and file a
14 reply to any opposition not more than 14 days after the opposition is filed.

15 SO ORDERED.

16 DATED: Jan. 11, 2016



17 CHARLES R. BREYER
18 United States District Judge
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